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**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

11 Jeanette Teal, Individually and as heir and
12 as Administratrix of the Estate of Everett
13 Teal (deceased) and Russell Teal,
14 Individually and as heir,

15 Plaintiffs,

16 v.

17 The United States of America,

18 Defendant.

Case No.: 2:19-cv-00263-MMD-VCF

**Stipulation For Extension of Time to
File Answer to Plaintiff's Complaint
(First Request)**

19 Pursuant to Local Rule IA 6-1, Defendant United States of America requests a 30-
20 day extension of time to file an answer or otherwise respond to Plaintiff's Complaint.

21 (ECF No. 1). Based on the date of service of the summons and complaint on the United
22 States, the answer or other response is due by May 28, 2019. With the extension, the new
23 deadline to answer or otherwise respond would be June 27, 2019. This is the United
24 States' first request for extension and, there is good cause for the request.

25 This is a wrongful death claim brought under the Federal Tort Claims Act
26 ('FTCA'). Plaintiff alleges that a VA doctor erroneously gave the shingles vaccination to
27 the decedent, which eventually caused decedent's death. Given the nature of this action,
28 counsel for the United States must review the decedent's medical records before responding
to the allegations in the Complaint. Counsel for the United States has made efforts to

1 obtain the medical records within the answering deadline, but is still awaiting a complete
2 set of records from the VA. The United States does not anticipate that more than the 30
3 days requested will be necessary to obtain the medical records and to answer or otherwise
4 respond to the Complaint. Counsel for the United States has discussed this matter with
5 counsel for Plaintiff. The parties agree to the proposed 30-day extension.

6 **WHEREFORE**, the United States respectfully requests that this stipulation be
7 granted and that the answer or other response be made due by **June 27, 2019**.

8 Respectfully submitted this 22nd day of May 2019.


10 THE GAGE LAW FIRM, PLLC

NICHOLAS A. TRUTANICH
United States Attorney

11
12 /s/ David O. Creasy
DAVID O. CREASY
13 Counsel for Plaintiff

/s/ Brian W. Irvin
BRIAN W. IRVIN
Assistant United States Attorney
Counsel for Defendant

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19 **IT IS SO ORDERED:**

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22 **UNITED STATES MAGISTRATE JUDGE**

23 6-7-2019

24 **DATED:** _____